



CREHAN & THUMANN, LLC

1206 Race Street
Cincinnati, Ohio 45202
513-381-5050 office / 513-381-1700 fax
www.ctlawcincinnati.com
thumann@ctlawcincinnati.com

March 19, 2015

US Environmental Protection Agency
Attn: Leslie Patterson, Remedial Project Manager
77 West Jackson Boulevard (SR-6J)
Chicago, Illinois 60604-3590

US EPA RECORDS CENTER REGION 5



487782

RE: EPA Special Notice Letter, South Dayton Dump and Landfill Site in Moraine, Ohio

Dear Ms. Patterson:

On behalf of Franklin Iron & Metal Corporation, Inc. ("Franklin Iron"), we are responding to the special notice letter from Joan Tanaka, dated January 16, 2015. Ms. Tanaka's letter invites Franklin Iron and other companies to negotiate an agreement to perform a Remedial Investigation/Feasibility Study for the South Dayton Dump & Landfill Site ("SDDL")

Previously, Franklin Iron responded to an EPA Section 104(e) request for information about the SDDL. In response to that information request, Franklin Iron conducted a thorough investigation and found no evidence that any of its waste had been delivered to the SDDL, and communicated that fact to the EPA.

Since the time of the initial response, Franklin Iron does not believe that any additional credible evidence has been discovered connecting Franklin Iron to the SDDL. Based on our investigation and continued analysis, we do not believe that Franklin Iron is a responsible party for the SDDL. Accordingly, we respectfully decline to participate in the response actions for the SDDL. If you have evidence of potential Franklin Iron liability that may not have been brought to our attention, we are open to further discussion with you on the matter.

Sincerely,

CREHAN & THUMANN, LLC

Robert J. Thumann

cc: Franklin Iron & Metal Corp.
Tom Nash, EPA Region 5